

## The Sociological Approach to Studies on Legitimacy and Legitimation. Statement of the Issue

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Veröffentlichungsversion / Published Version  
Sammelwerksbeitrag / collection article

### Empfohlene Zitierung / Suggested Citation:

Popova, I. (2003). The Sociological Approach to Studies on Legitimacy and Legitimation. Statement of the Issue. In Y. Golovakha (Ed.), *Ukrainian Sociological Review 2000-2001* (pp. 35-57). Kiev: Institute of Sociology of the National Academy of Sciences of Ukraine. <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-104403>

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## **The Sociological Approach to Studies on Legitimacy and Legitimation. Statement of the Issue<sup>1</sup>**

### *Abstract*

*“Legitimation” and “legitimacy” are the notions widely used to characterize the processes taking place in the post-Soviet space. However, to understand all the complexity and depth of legitimacy and its adjacent phenomena one has to go beyond the limits of pure political science and political sociology and enter the sphere of basic sociological notions, such as socialization, personal identification, the system of values, interests and ideological foundations. A sociological investigation of legitimacy and legitimation presumes analyzing a wide range of social, ideological and political contexts of practical activity stipulated by the interests of both population and ruling elite.*

Recently the notions “legitimation” and “legitimacy” have been widely used in order to characterize the processes taking place in the post-soviet countries, to be precise, for understanding what is going on in political processes of post-soviet societies. However, the complex and deep nature of the legitimacy analysis and related phenomena are difficult to be caught by scientists if this analysis is limited by the field of political science or politological sociology considered to be a branch of sociology. The legitimacy and legitimation belong to the field of general sociological ideas. We should study them together with the basic sociological con-

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Translated from the Ukrainian text “Sotsiologichnyi pidkhid do vvychnennia lehytymnosti ta lehytymatsii. Do postanovky problemy”, *Sotsiologhiia: teoriia, metody, marketynh*, 2000, № 3, pp. 21–44.

cepts: “sociality”, socialization, ideology and identification of the individual, value orientations and interests. Thus it appears that the ‘popular’ ideas and references to them (regularly seen in publications) are not studied enough and applied to the analysis of legitimacy. First of all, this relates to the idea of how M.Weber understood legitimacy, it includes much more potential for *sociological analysis* of legitimacy and legitimation than it is usually realized.

Sociological books warn us about the danger that awaits the scientists who accept Weber’s constructions and use the European terminology for analyses on soviet and post-soviet reality. This aspect was stressed by P.Kutuiev, whose very interesting article was about M.Weber’s sociology. The author thinks that Weber’s sociology is needed now because it “corresponds to our current problems”. However, as to P.Kutuiev, the concepts used by Weber only “seem to be extremely actual and practically significant for politically sharp discourse of our social scientists” [1, p. 137]. P.Kutuiev is right when he talks about the necessity of understanding the real meaning of these notions and the fact that Weber’s ideas are only the “analytical reconstruction that has to be distinguished from the structure of empirical reality”, though P.Kutuiev allows himself to “make some generalized assessment of situation developed in our country with the help of Weber’s methodology” [1, p. 147]. I think that Weber’s methodology should be also used for substantiation of a wider approach to studies on legitimacy and legitimation in conditions of post-soviet transformations. This article is namely about substantiation of this idea and some characteristic features of the (“wide”) approach.

I will start from the wrong identification of “legitimacy” and “legality” that is still could be seen in our publications. For example, authorized and unauthorized meetings and demonstrations are told to be legitimate and illegitimate kinds of protest [2, p. 92]. Actually, active protest (irrespective of being officially authorized or not) can be quite legitimate, openly or “inwardly” approved by the population. The identification of legality and legitimacy (rather typical for national authors) might be connected to difficulties dealing with translating the term “legitimacy”. For example, these reasons were mentioned by S.Solnik, the research fellow of Russian Studies Centre, the Harvard University, USA, who in 1980s studied relations between various generations in the USSR. “In soviet dictionaries, — he writes, — the notion “legitimacy” is translated in accordance with understanding legitimacy as consequences of following the laws. “Lawfulness” as a synonym of “legitimacy” in its western ver-

sion, according to S.Solnik, has another connotation for political scientists who work preserving Max Weber's traditions" [3, p. 60].

Of course, when we use one term or another, this procedure is rather conditional. And it is important to stress the meaning of the notion used in order to make it work and promote the aspects of reality that we analyze. For sociologists, it is especially important to take into account various public factors determining the studied phenomenon. If we identify the concepts "legality" and "legitimacy", the meaning of the latter becomes weaker together with capabilities for description and analysis of various public institutions and the institute of political power, in particular. In order to get the deep understanding of this subject, we should start with its history and find out what its meanings were used in the western studies (from which it entered to the soviet and post-soviet sociology and political science).

The notions "legitimacy" and the "legitimate order" were introduced into sociological studies by Max Weber and worked as a tool for description and analysis of the power (domination) characterized from the point of view of its *prestige, justification, recognition*. Legitimacy is a characteristic feature of the domination kind, which M.Weber calls authority. He thinks that domination is the most general synonym of the power, he determines it as an "ability to impose their own will on others' behavior" and defines two opposite kinds of domination: a) "domination by virtue of constellation of interests (in particular: by virtue of a position of monopoly)" and b) "domination by virtue of authority, that is power to command and duty to obey" [4, p. 25].

Talking in his basic work "Economy and Society" about the connection between kinds of domination and kinds of economic organization, M.Weber takes legitimacy not only out of the first kind of domination (inherent in market relations of formally free individuals) but out of the "direct democracy" and power of the "notables" who dominated by means of monopoly on honour and respect (by *honoratiore*s). The last kind of domination, as well as the monarch power, does not require justification because it bases on the myth of the "natural" superiority (by blood, the first-rate qualities etc.). There is also no need to have a special justification system in conditions of direct democratic control ("direct democracy"), the specific nature of which is determined by "the law of small numbers". This issue (the special justification system) arises in complex organizational structures, where, on the one hand, a small group, executing the power functions, is authorized to control the masses and, on the other hand, "class situation has become unambiguously and openly

visible to everyone...” [4, p. 36]. According to Weber, in these conditions, the power is in dire need of self-justification and finding an agreement between own goal and orientations of people who are to obey.

Such an agreement, which is not necessary under other social and organizational conditions, determines the essence of legitimation that provides with the reliable domination and implementation of power in conditions of complex organizational structures. It is no coincidence that in modern western sociology, legitimacy is qualified as an issue of “representation and consent”. “The issue of political legitimacy, — as it is written in one of the western sociological dictionaries, — arises when direct political relations, inherent in small societies, are destroyed, that is today this issue deals with the question: who has the legal right for acting as representatives of political power? So, legitimacy is related to the nature of political leadership” [5, p. 152].

However, the notion “legitimacy” is treated ambiguously, and this is a result of differences between the law and moral norms, in particular. The legal power, that is the power corresponding to the norms of the law, can be illegitimate (lack of legitimation), if its actions cross the limits of the public consent. Complex relations between lawfulness and legitimacy is a problem heatedly discussed in the modern political sociology and, to a great extent, conditioned by ambiguous understanding of legitimacy. This polysemantic nature goes from Weber’s understanding of legitimacy, which sometimes includes legality as a particular case of legitimacy and, in other cases, is treated as the characteristic of the power distinct from a legality.

The term “legitimacy”, originated from Latin *legitimus*, means literally *agree to the law, valid, proper, right*. The sociological meaning of the term, introduced by M.Weber, is conditioned, according to Yu.Davydov, Russian sociologist, by the necessity to differentiate the legal power, the characteristic feature of which is its conformity to the formal laws and juridical norms of the law, from the power that is really significant for the people and can be seen in their behavior [6, p. 156]. M.Weber called the conformity to the formal laws legitimacy too, but legitimacy “normative”, he says that this is legitimacy of norms but not legitimacy of individuals representing the power. Weber differentiates the “normative legitimacy” from the “empirical legitimacy” characterizing the actual significance of the established order for people, which is seen in their behavior. The significance of order, expressed in people’s orientations, is determined by their ideas about the legitimacy of order. “Behavior, especially the social one, — Weber writes, — and social relations can be oriented by the indi-

viduals to their *ideas* about existence of the *legitimate order*. We call the possibility of this orientation the "significance" of this order" [7, p. 636]. If that idea (about the legitimacy of order) is absent and the order has no significance, then it has no legitimacy. Such understanding of legitimacy explains the fact that "modern theories on legitimacy are often subjective as to definition that the legitimate power is the power *presented* by people as legitimate" [5, p. 153].

The legal authority, according to Weber, can be legitimate or can be not. Thus the legitimacy does not necessarily mean to follow the formal rules and established norms. Even when they break the law or the norms, these laws and norms can be significant for behavior, which is proved, for example, by infringers' attempts to hide their deeds. So they are guided by the aim-rational motives but admit compulsion of norms, and that is their legitimacy. Describing this idea, M.Weber writes: "For example, hiding their deeds, a thief takes into account significance of criminal laws. They are *forced* to hide the deed because, in the specific environment, the order keeps its "significance" [7, p. 636–638]. Of course, such forced assent differs from obedience to direct violence because there is a number of options that could be taken according to the aim-rational orientations, however, we hardly can talk here about *approval, admission or prestige*. Also Weber stresses that it is possible that opposite systems of norms work simultaneously (the norms of laws and moral, in particular), each of both is significant (and consequently legitimate) "... to that extent to which the behaviour, oriented to it, is *probable*" [7, p. 638]. So, we can see that "significance" and the nature of orientations could be understood differently and, as a result, there are various reasons for such definitions of legitimacy or degrees of its manifestation. I would like to note that unauthorized demonstrations being in direct contempt of the corresponding laws mean that these laws are illegitimate. Illegal — contradictory to the laws — protest actions sanctioned by the moral norms are quite legitimate, as the moral norms, to which the people's behaviour oriented, are legitimate. Anyway, if we want to assess actions as legitimate or illegitimate, we should make our analysis thorough and use a lot of information.

Some uncertainty exists in M.Weber's understanding of the legitimacy insurance. In his opinion, the legitimacy of order can be insured *inwardly* and *outwardly*. According to Weber, the *inward* insurance includes: a) exclusively affective and emotional devotion, b) belief in the absolute significance of order being the highest immutable value of the value-rational nature, c) belief, equivalent to religious faith, in the fact

that well-being and salvation depend on maintenance of the current order. The *outward* insurance means the standards of behaviour and sanctions, to which people orient themselves. This insurance can be *conditional* and *legal*. The conditional insurance, not dealing with special groups for compulsion (inherent in the legal insurance), leads to behavior that can hardly be called "voluntary". "If we break conditionality (for example, in "professional ethics"), — Weber writes, — the social boycott manifested by people of certain professional group often could be considerably more effective and obvious punishment than the punishment sentenced by the judge" [7, p. 640]. In both cases, the legitimacy of order is conditioned by "expectation of the specific external consequences" and, as we can suppose, is determined by the aim-rational motives. Thus Weber considers that the order based on the aim-rational motives, as well as the one based on customs and habits, is less stable than the "order having prestige, due to which it dictates the unbreakable requirements and sets a model of behavior, that is than the order having "legitimacy" [7, p. 637]. Such expressions can lead to narrowing of legitimacy concept, to considering the order *namely legitimate* if only it *supposes existence of inward insurance*. M. Weber considers that outwardly insured systems can be insured inwardly too. The latter (the inwardly insured systems) are related (by Weber) to the ethical criteria. "According to sociology, "ethical" criterion is that, — Weber writes, — for which the specific value-rational *faith* of people is a norm of human behavior" [7, p. 647]. The ethical normative ideas can strongly affect people's behavior without any outward insurance. It is not coincidence that while analyzing various situations, sociologists use namely these ideas as the determining feature of legitimacy.

As we can see, there are numerous nuances describing legitimacy, and for the sociologist, dealing mostly with *empirical* legitimacy manifested in people's ideas and behavior, each of these nuances characterizes the certain condition of society, the specific feature of certain political regime functioning. So, "different interpretations" of the concept of legitimacy are not of speculative nature, they are conditioned by complexity of the phenomenon and by the desire to take into account various aspects of its analysis. As an example, we can take the following case: how the concept "legitimacy" was used in studies on the "fathers and children" conflict during the late soviet period.

Steve Solnik, the research fellow of Russian Studies Centre, Harvard University, do not agree with other American researchers of soviet life considering that the system, which is stable and free of all public discus-



sions on “crisis of legitimacy”, is “legitimate”. According to Solnik, this sore subject brought a lot of troubles to Weber too, who, approaching to legitimacy from various points, thought that “the mass support does not mean straight legitimacy and its [legitimacy] aspects should be discussed even without the mass support at all” [3, p. 61]. In order to prove this idea, Solnik refers to the following citation from “Economy and Society” by Weber: “Naturally, legitimacy of a system of domination could be regarded as probability of the fact that the system is supported to some extent and its practical course corresponds to this extent. It is absolutely false that any obedience to the power, first of all (or anyhow), is caused by such belief. Some people or groups can hypocritically manifest their loyalty because of purely opportunist purposes or do it of mercantile reasons. Also people can obey because of their delicacy and feebleness, if there is no other reasonable alternative. But these cases are not basic when we classify the kinds of domination. It is more important that in the given case the certain claim on legitimacy is regarded as “real”, this fact confirms the position of those who claim for the power, and it helps to make decisions on means for implementation this power” [cit. of: 3, p. 61].

It is interesting how Solnik interprets this M. Weber’s idea and what issues the American scientists use to explain legitimacy. As far as Weber clearly sets the *difference between the outlook basis of legitimacy and official claims for it*, Solnik stresses that obedience does not necessarily mean legitimacy. The key point of the Weber’s definition, according to Solnik, is lack of “reasonable alternative”. People can consider a political regime absolutely illegitimate, but they obey until they find other ways apart from simple obedience to the power. “The current crisis of legitimacy, — Solnik writes, — requires alternatives to the constant obedience to the existing order. However, even if such alternatives do not exist, the official formula of legitimacy can play a significant role while they make a choice between political means to be used by the regime to support itself. We should be cautious and not consider that the means introduced in politics by this formula are really indispensable for maintenance of legitimacy” [3, p. 61].

Such comprehension of legitimacy was popular in the “late soviet” (Brezhnev) period with its flourishing cynicism when the socialization programs required only ceremonial confirmation of loyalty and absence of direct protest against the political regime. Publications on political life of soviet society during that period said that the system actually lacked legitimacy; hypocrisy and cynicism were in plenty even among those who



swore that they were loyal to the regime. The same description can be given for “democratic” elections into the representative power bodies. During the stagnation period of the soviet society development, the purpose of elections was not to legitimate the political system “but rather to show to the population that illegitimate nature of this “non-democratic” practice is what is good and proper” [3, p. 61]. Solving the “fathers and children” problem in that conditions, S.Solnik puts the following questions: a) Can we call a system producing cynicism legitimate? and b) When the impossibility to impregnate the Comsomol activists with the regime spirit will cause “crisis of legitimacy”?

The above-mentioned thoughts about legitimacy also relate to the ideas on legitimacy and the mass defiance to legitimacy that form among the elite. “If cynicism and estrangement can cause crisis of legitimacy, — Solnik writes, — it happens only when the elite admit the crisis or when the status quo alternative appears” [3, p. 62]. And really, we witnessed that the crisis of legitimacy became obvious namely when the former Soviet elite found for itself such an alternative and, using the demagoguery of reforms, promoted the aggravation of the crisis in order to hold the power.

While studying legitimacy, we should take into account the direction in which the concept of legitimacy developed in the post-Weber period of sociology of politics. Legitimacy is not only regarded as related to the kind of power called “authority” (when “people readily obey the orders”), but also, as we mentioned above, it is interpreted in the *subjectivist* way and, moreover, is connected mostly to ethical criteria. Such comprehension of legitimacy was expressed, for example, by T.Parsons. According to Parsons, the power is intended for achievement of collective aims by means of society members who agree to delegate their rights for making decisions to the power representatives (leaders). Parsons thinks that the most significant kinds of power are institutional and symbolical that completely depend on people’s confidence. The symbolical, communicative aspects of legitimacy and the ways of how admission and confidence are expressed in it, were studied by Hanna Arendt, German-American political scientist. She takes violence out of the power and identifies in essence the power as legitimate authority.

A number of serious issues related to comprehension of legitimacy and legitimation nature were stated by Urgan Habermas, representative of the Frankfurt school in sociology, in his works: “Crisis of Legitimation” (1973), “Communication and Society Evolution” (1979) and “Communicative Action Theory” (1981). Expressing his disagreement with

H. Arendt who took the force out of the power, Habermas follows the “subjectivist” approach to the legitimacy analysis and, in his interpretation of legitimacy and the legitimacy crisis, he limits the research by the symbolic communication, the value and normative sphere of society. Talking about U. Habermas’s position and stressing that the legitimacy issue being regarded by Habermas becomes ideological, when social norms of one kind are replaced by social norms of other one, George Ritzer, American historian of sociology, writes the following: “...many have accused Habermas of cutting his Marxian roots in his shift from the material to the normative level” [8, p. 153].

In the same way — as an issue of philosophy — legitimacy was analyzed by another representative of neo-marxism, American sociologist Charles Mills. He studies it together with institutionalization of the public opinion. Regarding the public opinion as “democratic legitimation”, Mills correlates the latter with the “doctrinal” legitimation and thinks that this relation is the essential feature of legitimacy. According to him, the intellectuals and representatives of art take the functions of the doctrinal legitimation. As a result of the intellectual activity, there are created the ideas supporting and justifying the power, transforming the power into the legitimate authority. For instance, the French revolution was symbolized by romantic poets for English public, Russo legitimized the French revolution, Milton — Cromwell’s regime, reports by John Reed — the early stage of Bolshevism, Marx — in a vulgarized way — Russian revolution [9, p. 612]. This idea about legitimation being a “meeting” of specialized philosophy with everyday interpretation of communication and its significance to legitimation (as a way of translation and digestion of ideas) is always (somehow) present when modern scientists try to characterize legitimation.

The analysis of legitimation process and the issues, arising during such studies, are discussed by the modern representatives of the sociology of knowledge P. Berger and T. Luckmann. This analysis is so deep and versatile that we have to talk about it in details. For Berger and Luckmann, legitimation also deals with formation and functioning of ideology. However, in this case, discussions on legitimation are based on the concept of socialization and its role in institutionalization and changing institutions in society. The legitimation interpretation by Berger and Luckmann is characterized, first of all, by the fact that they treat it in the wider theoretical context and take it out of political issue limits. They understand legitimation as an “explanation” and approval of institutional world, considering that the legitimation issue arises when the

objectivations of institutional order have to be passed to a new generation. At the first stage of institutionalization, which Berger and Luckmann connect with habituation, an institute — as a stable type of relations — is a fact that do not need confirmation. In these circumstances, the direct “creators of social reality” — participants of the corresponding institutional order establishment — can return to the first meaning with the help of their memory. A new generation gets the knowledge of initial institute through the “second hands”. “Therefore now *it is necessary to give them an interpretation of this sense in various formulas of legitimation* (italic is mine. — I.P.). These formulas should be complete in the terms of institutional order to be convincing for a new generation” [10, p. 103].

P. Berger and T. Luckmann determine four levels of legitimation. The first level (“arising legitimation”) — is the fundamental explanations, included in the basic vocabulary and mastered by a child. All simple statements, like “it is the way of how all things are arranged”. It is the “pre-theoretical” level having the nature of “self-evident knowledge”. The second level contains theoretical statements similar to various explanatory schemes, they are “quite pragmatic and directly connected to concrete actions” [10, p. 155]. These “schemes” include proverbs, moral maxims, fairy tales, legends. At the third level, legitimation leaves the limits of practical usage and becomes the “pure theory”. Because of complexity and specialization of these legitimations, “they are usually entrusted to the special staff that passes them with the help of the formalized initiation procedures” [10, p. 155]. The fourth level of legitimation consists of symbolical universal sets relating to those realities that differ from realities of everyday life. “It is easy to see, — Berger and Luckmann write, — that the symbolical sphere deals with the most comprehensive level of legitimation and this sphere leaves the limits of practical usage once and for all” [10, p. 157]. We should also stress that this level (to appeal to the highest values that can not be verified in practice) — is the characteristic feature of any ideology. While constructing it, some symbolical universal set is used deliberately or unaware. Executing integration of *all* separate institutional processes, they legitimize each institution due to their involvement into the all-covering world of meanings. “For example, the political order, — Berger and Luckmann write, — is legitimized due to its correlation with the space order of power and justice, and political roles are legitimized as representations of these space principles” [10, p. 169].

Certainly, symbolical universal set is used in the given situation for legitimization of institutional order as a whole and the political one, in particular, is determined by many circumstances. In the modern world, it would be difficult to legitimize a political order by applying the space formation. However, we can use the universal theory of the human beings, their rights and freedom as a symbolical universal set, as a kind of maxim. For example, there is the Declaration on Human Rights adopted by the General Assembly in 1949, where freedom is treated as widely as possible without taking into account pluralism of cultures. While describing the Declaration, L. Ionin calls it “Europe-centrist”. He thinks that it would be more reasonable (in order to meet the interests of the world community) to accept the clauses of the Memorandum on Human Rights offered by the American Anthropological Society and turned down by General Assembly. The concept presented by the Memorandum is based on the idea that the standards and values correspond to the certain cultures and an “individual is free only when they can live according to the understanding of freedom adopted in their country” [11, p. 42]. Nobody would deny that the statement of freedom presented by the Declaration “restricts applicability of the corresponding Declaration on Human Rights to the mankind as a whole” [11, p. 41]. However, we can see that this universal approach is “inspired” by clear striving for legitimization of the world politics dealing with the interference of the “world community” — leadership in which belongs to the known countries — into internal affairs of other countries.

Expressing agreement with the concept of legitimation offered by Berger and Luckmann, it would be reasonable to take into account some interesting ideas from their discussion on legitimation. According to Berger and Luckmann, though it is directed to make the institutional order more of value-normative nature, to form understanding of its value, legitimation includes not only “values” but “knowledge”. “Legitimation says to an individual not only why they *have to* commit the certain action but why things *are* of the kind they are. In other words, the “knowledge” precedes “values” in legitimation of institutions” [10, p. 154]. In the modern society, despite its well-known plural nature, legitimation works for maintenance of solidarity, coexistence of separate universal sets “being in the condition of mutual adaptation”. Thus it is supposed that the “society has the central universal set which is taken for granted as being such” [10, p. 203]. The following statement is especially interesting: those who possess more power have more chances for determination of reality. “Outcomes of the fight, — Berger and Luckmann write, — depend

more on the power than on theoretical refinement of the arguments used by those dealing with the corresponding legitimization... The historical result of each fight was determined by those who used weapons better than arguments" [10, c. 178].

In the work by P. Berger and T. Luckmann, the statement of the most interest and heuristic value concerns legitimization and characteristics of various kinds of socialization. Understanding socialization as "comprehensive and successive entering by an individual the objective world or its part" [10, p. 212] and defining its (socialization) kinds as — primary, secondary and resocialization, Berger and Luckmann stress on that each of them has own features and mechanisms determining the nature and internalization degree of norms and values. These features ought to be taken into account when we study legitimization and try to assess the ways of its implementation, accepted by the society, and the official formulas of legitimacy used by the power structures.

The primary socialization deals with high emotional tension, identification to the significant others, with the need in authority necessary to those who pass the values. The world, internalized as a result of primary socialization, is "much more strongly implanted in consciousness than the worlds internalized during the secondary socialization" [10, p. 219]. The latter is not connected with high emotional tension and identification with "authority". During the secondary socialization, acceptance of the official norms ("new", those the subject did not deal with in the primary socialization) can be of pure ceremonial nature together with estrangement and legal-rational motivation. "Therefore, the accent of knowledge reality, being internalized during the secondary socialization, is much easier to be neglected (it means that the subjective perception of these internalizations as real ones is less stable)" [10, p. 232]. The secondary socialization is determined by previous experience, already formed *I* and the internalized world. But this kind of socialization is typical in conditions of "social routine", absence of significant transformations at the level of person and society, radical changes dealing with revaluation of values.

For example, the "social routine" of the stagnation period was characterized by certain socialization programs, which caused cynicism and hypocrisy, and deliberately used to maintain stability. In the work by S. Solnik, mentioned above, he notes that "the political system under Brezhnev never asked for more than ceremonial confirmation of loyalty and absence of direct opposition because the leaders and ordinary people were busy with "informal activity" in their "private" lives, including

hardly legal manipulations and malfeasances" [3, p. 61]. The main idea is that in this case *the system legitimation is actually absent and this situation forms the basis for crisis* that can "happen when publicity in the mass media starts to break barriers between ordinary pragmatical "mentality" of private life and "myth mentality", creating ideological dissonance inside the individual" [3, p. 62]. We would like to add that the mentioned socialization formula can be used in other conditions (for example, under the current transformations). But it is "effective" (promotes maintenance of relative stability while legitimation is actually absent) only for those groups, which undergo the secondary socialization. For example, now these groups form the most generation, the primary socialization of which was going on during the "pre-perestroika" period characterized by the above-mentioned pragmatism of private life. In that case, the pragmatism of market philosophy does not lead to ideological dissonance and enables formal perception of semi-official organ and transmitted ways of legitimation.

Such "formulas" are differently accepted by those groups, which need to revalue values. In this case, there takes place re-socialization inherent in the critical periods accompanied by crucial changes in systems of values. Such socialization (Berger and Luckmann call it an alternation) means that the social world will be completely renovated. Connections with the previous world constructed during the primary socialization seem to be lost. However, the renovation is implemented according to the laws of the primary socialization: it demands emotional involvement, the authority of the source transmitting new values, the identification with this authority. All these mechanisms work for the total period of value transformations. "The most important conceptual condition of the alternation, — Berger and Luckmann write, — is an available apparatus for legitimation of the total transformation. Not only a new reality has to be legitimized but also the stages, with the help of which it is achieved and maintained, as well as the stages of leaving or rejecting the alternate realities" [10, p. 258]. Therefore, for the "re-socializing" groups, some other formulas of legitimation become effective. *If there is no evident authority leader and emotionally experienced consolidating idea, the idea necessary to control the fear of chaos and destruction can become the basic for the legitimation formula.* "All societies get constructed in front of chaos. The permanent possibility of anomical horror becomes actual, when the legitimation constraining danger is threatened or broken down" [10, p. 169]. In our opinion, namely this fear of instability and chaos was exploited in the electoral technologies used by the team of the current Pres-

ident of Ukraine during the election campaign of 1999. This was especially evident in the second tour of the elections: the rival-communist was identified with the “return to the past” that, in its turn, was identified with violence and reprisals, the after-October destruction and bloodshed of civil war. In general, the serious analysis of symbols used in political and pre-election campaigns, in particular, will make it possible to understand the nature of means promoting legitimation or de-legitimation and will help to understand the processes taking place in the post-soviet space.

We should agree, for example, with the following statement by Ye. Golovakha based on the data of numerous polls conducted in Ukraine: “...there is often a big gap between formal legality of power and its actual legitimacy, the one side is represented by the legally elected authority, the other — by the people who elected them” [12, p. 71]. Characterizing the political situation of 1997 and presenting various data confirming the fact that in Ukraine the political power is illegitimate [12, p. 71–87], Ye. Golovakha, nevertheless, concludes that Ukraine is not threatened by explosion of the social protest related to confrontation of political elites or the mass unrests. Though the “conflict between legality and legitimacy of democratically elected authority, — in his opinion, — can result in the legal people’s refusal from democracy and turn to the authoritarian regime” [12, p. 72]. Admitting the idea that, in Ukraine, this possibility is quite real (in 2000, it became even more real than in 1997), however, we should add that the responsibility for choosing this “option” has to be put not on Ukrainian people but on political “elite” creating all conditions for the “refusal from democracy”. As the past experience has shown, in Ukraine, the lack of legitimacy of political authority not only did not cause explosions of social protest but Ukrainian people even confirmed (by the election of 1999) the legality of the current President’s power. We think, this happened not because of the risen trust in the President but due to the absence of strong opposition (there was no significant confrontation of elites) and alternatives reasonable for the population.

One of the most important issues, which has not been studied yet systematically and comprehensively, is the relations between the value orientations and preferences of the power bodies representatives and people. *To reveal these orientations and determine correlations between them is one of the most essential sociological aspects of legitimacy.* Thus we would like to present the most important blocks describing the vital orientations. For instance, American scientists studied a “degree of pref-



erence homogeneity" and "ideological correlation" between political elite and "ordinary citizens" in the post-soviet space 6 months after the USSR was crushed, they determined the four blocks: attitudes toward political reforms and toward democratic principles, economic reforms and ethnic problems, separately. In particular, they revealed that the orientations of Russian elite and Russian population match better than ideological orientations of people and political elite in Ukraine [13, p. 14]. But they were surprised that orientations of people and elites in Ukraine and Russia were closer to each other than orientations of "simple citizens" and political elites in democratic countries, like the USA, France and Sweden [13, p. 19]. This relative correlation of orientations (we talk about the above-mentioned blocks) has not changed for the next years, this was confirmed by the polls carried out in the post-soviet space. As well as in 1992, the orientations of political elite are (more than people's orientations) characterized by "pro-market", "pro-democratic", "radical-political" moods. However, the part of population prone to think in this way decreases, whereas the corresponding group of elite is rather stable.

These relatively matched orientations, registered by polls, on the one hand, and disbelief expressed by population, on the other hand, do not correspond to each other, so we need an explanation. The inconsistency mentioned above has to be discussed taking into account the circumstance we noted before: legitimization is traditionally studied as an issue of ideology, *as an issue of correlation of ideas*. Insurance of legitimization is regarded in connection with the information effect, with capacity of power structures to transmit the ideas easily "digested" by the mass consciousness, with ability to convince, to introduce desirable meanings into the everyday consciousness. The special role (in this) is played by the mass communications and control over them, application of various technologies ensuring efficiency of implementation of ideas, "explanation" and "re-explanation" of meanings.

We do not say that the above-mentioned is insignificant for legitimization. The recent years, showed us how skilful "informing" and thorough developed social technologies of hypnotism created miracles and totally changed the public opinion. The only question is whether *they are enough* for the long-time effect in order to form the stable legitimization of political power? What are the consequences if the transmitted ideas do not correspond to the population's interests developed according to the everyday experience, real living conditions and practical activity? You see, the practical activity and real conditions significantly correct perception of ideas. Even the symbolical universal sets used for legitima-

tion, as, for example, P. Berger and T. Luckmann think, are conditioned by this activity in the end. "It is necessary to stress, — they write, — that the conceptual mechanisms of the universum maintenance are the products of social activity, like all kinds of legitimation, they can be rarely understood irrespective of the studied community activity" [10, p. 178].

Such ways of legitimation that form illusions and "false" (that do not correspond to the interests of the most population) preferences have only a short-term effect and lead to disbelief, which, under the certain conditions, transforms to the open confrontation. Even if the latter is absent, the manifestative or latent disbelief do not promote consolidation that is necessary for implementation of reforms. In fact this (let us call it "artificial") way of legitimacy formation makes "acceptance" easily changed to disbelief, could be definitely confirmed by the empirical researches. Referring to the data of representative polls in Ukraine, Ye. Golo-vakha points out the splash of "trust" during the parliamentary and presidential elections and "disappointments" that follow them: the next year after the elections, the considerable part of electorate says that they would never elect the deputy again, and during the second year of presidency, people estimate the President worse than it was a year ago. The more days pass by, the worse are estimations of even the institute of multiparty. In 1991, it was estimated positively by 61 % of the interviewed Ukrainian people, in 1996, this percent dropped to 32 % [12, p. 82]. And the determining role in this case, as well as in all others mentioned above, is played by *the way of political institute functioning and those real interests which determine its nature*.

As we can see, there is a basis to conclude that the essential factor for legitimation of the political power representatives is their *ability to correlate own interests with the interests of population and to meet the latter as much as possible under the current conditions*. Thus it is necessary to take into account that there could be more or less distinctions between verbally expressed orientations and interests (both of the population and political "elite"). During the last decades, this issue is often stated and interpreted in the works where the nature of power and the specific features of power relations are analyzed. One of the most interesting is the book by Stephen Lukes "Power: A Radical View" (Basingstoke; London, 1974) that was rather deeply analyzed by V. Lediaev [14].

In S. Lukes's opinion, the basis of power is not the "conflicting preferences" but the "conflicting interests". Interests could be reflected inadequately in "preferences". So, we have to admit that the object of power, according to Lukes, can pursue own intentions but be contrary to its real

interests, if they are not realized. Subjective preferences are related to interests, they express them. Nevertheless, *if the difference between interests and ideals is ignored and the interests are presented as ideals, then this leads to ideological justification of elitism, avant-gardism, paternalism, tyranny and etc.* V.Lediaev quotes the statements by S.Lukes, which are extremely actual for comprehension of post-soviet political systems, like “the highest and most insidious kind of power is when they avoid the possible people’s discontent by formation, among them, such perceptions, knowledge and preferences, which ensure that people accept their roles as quite natural — or because they do not see any alternative to this order, or because they consider it heavenly preconceived or expedient” [14, p. 115]. In this case, according to Lediaev, there is no “conflicting preferences” between the subject and object of power but there are “conflicting interests”.

So, we can see that the legitimacy issue leaves the limits of correlation between ideas and values, the “specialized” and “everyday” ideologies, it is transferred in the sphere of practical activity and real interests. Actually, this sociological approach to legitimacy is conditioned by the certain methodological strategy, in which the main idea deals with the possibility of dissonance between ideas and interests, verbal and actual behavior, admission that the human life experience can be dual. This strategy, used as analytical research tool for a number of sociological issues [15, p. 44–75], can be useful for research on legitimacy. According to this approach, legitimacy of political system means *coordination of the interests of political leaders (“elite”) and people, which are expressed in verbally formulated aims and preferences relatively adequate or distorted.* The result of such coordination is approval (to more or less extent) of leaders’ activity by the population, the level of prestige and recognition (non-recognition) of the authorities. The result significantly depends on the transmission of ideas, ways of affecting on those “meanings”, which are mastered by the everyday consciousness and form the conscientious preferences. “Success” of legitimation, perceived as a derivative of correlation between “preferences” and interests, is conditioned by the nature inherited by legitimacy as a result of all these interplays: its stability, inner conditionality and consistency. In particular, it is supposed that success of legitimation is mainly determined by the level of adequacy between the official formulas of legitimacy and the schemes of interpretation that are used, on the one hand, and various kinds of socialization in the society, on the other hand. *Namely the nature of legitimacy, determined (in the end) by correlation between interests of most population*

*and interests of the ruling elite, the ability of the latter be guided by the public interests in its activity, has to be in the sociologists' field of vision.*

Sociological studies of legitimacy include analysis of namely “empirical” (in M. Weber’s terms) legitimacy perceived as the “actual significance (for the people) of the established order” and characterized by various manifestations in their ideas and behavior. The “actual significance” can be revealed in the real practice of people, in their everyday activities. In the end, it determines *the nature and degree of legitimacy* of various power structures being in the sociologists’ field of vision. “There is no country in the world, where all people would consider the current regime completely legitimate, — M. Dogan, French sociologist, writes. — The legitimacy level is determined according to degrees. To arrange the regimes on an imaginary axis by ascending a degree of legitimacy, from its minimum to the maximum, is very helpful for the comparative analysis of political systems” [16, p. 150]. Another important task is to determine the *nature* of legitimacy. For example, Dogan thinks that it is necessary to see the “clear difference between the concepts: legitimacy of regime, trust in its institutes and popularity of the leaders” [16, p. 154]. However, the empirical referents suggested by him for verification of these concepts are hardly good enough and his empirical substantiation of such differentiation is uncertain. But the real problem is to differentiate legitimacy of institutional, normative order from legitimacy of the power representatives who have to use (in their activity) the norms, which correspond to this order. As it was mentioned above, this problem was stated by Weber (as a problem of difference between the “normative” and “empirical” legitimacy).

Certainly, there is a line that separates one from another. However, it would be wrong to think that this difference is absolute, because distrust in activity of the power representatives develops into distrust in the power structure and the political system as a whole. In this case, the most important issue is to fix the corresponding tendency, to study the legitimacy dynamics. Let us look, for example, at the data on the attitude of population toward the institute of representative democracy. The essential feature describing this attitude is the attitude of people towards the honesty of elections, whether falsifications are possible or not. According to the data of polls conducted in Odesa oblast, the level of trust in this institute did not rise from 1989 to 1998 but not only that — it even dropped (see the Table).

**Table**

**Respondents' Opinions on Legitimacy of Elections, %**  
 "Do you think that the elections will be honest, without jugglings, without violation of laws"

	1989*	1994**	1998***
Yes	41	5	8
No	27	30	64

\* Elections to the Supreme Council of the USSR.

\*\* Elections of the President of Ukraine, Chairman and deputies of oblast, municipal and district councils.

\*\*\* Elections to Verkhovna Rada of Ukraine. The question about honest elections was combined with the assessment: "Will the people (like you) receive the possibility to affect the fate of the country at least somehow?"

In 1989, the same questionnaire was used for interviewing of the oblast population, participants of the city meeting and experts (representatives of the party-soviet authority bodies). Both latter groups manifested the considerably higher skepticism than the population. Among the participants of the meeting, there were 74% of those who doubted that the elections were honest; among the experts, this number was 66%. The regional study conducted after the elections (in May, 1990) showed that the part of those who doubted in this honesty, among the population, was stable enough: nearly the same percents that were before the elections — 26% (in Odesa — 33%, in local centers and towns — 23%, in the country — 19%). These data are rather interesting if we take into account that this decade is regarded as *transition from the soviet totalitarian society to the democratic one*, where citizens have possibilities to take a real part in formation of the power bodies, to influence their membership and structure. We would like to remind that namely 1989 was the time of considerable political activity and political crisis, the legitimacy crisis of the political power. However, there is a question: how should we interpret this rise in skepticism from 1989 to 1998 — as the deteriorating crisis of political regime (which one?) or as an evidence of unpopularity of certain representatives of authorities who are obliged to create conditions for honest elections?

The current realities of our political life also confirm that Weber's ideas on legitimacy are still actual. We can look, for example, at the results of the last presidential elections in Ukraine. If a half of population are not sure that the elections were honest, without falsifications, how

can we consider the election results legitimate? To be precise, if we recognize their legitimacy, what meaning does this concept have for us? Is it possible to talk about the trust in the institute of representative power, if the latter allows to use the procedures which accept falsifications or do not prevent the people who have no authority among the population from entering the top power positions? The same questions could be asked when we analyze the people's attitudes towards the multiparty idea and privatization being not only economic but a political action too. Unpopularity of practically all political parties in Ukraine [see, for example: 17, p. 45] results in the growing negative attitude toward the institute of multiparty (this is confirmed by the above-mentioned data), so, complaints about the ways of how privatization is carried out can, in the end, form the negative attitude toward this institute as a whole.

We should remember about another important point, which confirms that legitimacy is characterized by various qualities and which was indicated by M. Weber in terms of "internal" or "external" legitimation guarantee. The absence of manifestative legitimacy crisis and openly expressed distrust in the power does not mean the "inner" trust in it, faith in its relative justice, in the fact that the leader's interests meet the interests of people, in ability of the power to represent and protect the public interests. And namely this trust, conditioned by "ethical" criteria, characterizes (in Weber's terms) legitimacy as *public consent*. The latter can be achieved with the help of *value-rational* guarantees expressed in a way of people's faith in significance of the established order, accepting it as corresponding to the specific values shared by the population. The opposite factor is readiness to tolerate the power or the preferences manifested during elections. The preferences could be an evidence of the forced situation, understanding that there is no alternatives. We have already said that this political condition is instable, because as soon as the alternatives appear, as well as the hope for changing the situation, the patience runs out and discontent shows itself in the legitimacy crisis that means the open discontent with the current power.

When you study the legitimacy of political power, it is important to accept that "in many ways, legitimacy of regime is determined by its economic efficiency" [16, p. 154]. This idea is also stressed by the Ukrainian sociologists who deal with the status legitimation of political and economic elites in Ukraine. They note that legitimacy of political regime depends on a "degree of its efficiency", they think that "in ordinary consciousness of ordinary citizens, this degree is perceived as economic development of the country and their own standards of life" [16, p. 12].

However, according to the applied ideas and empirical data, we should say that this relates more to the ruling regime *social efficiency* depending on the *social policy* carried out by the power structures. Social efficiency is characterized not only by living standards of able-bodied and disabled population but possibilities to realize own knowledge and skills, to show themselves in activity, to have access to various modern values and services — all this, in the end, form the so-called “social well-being” that is a key factor of “inner” legitimation. Economic efficiency is necessary but not sufficient condition for social efficiency. When we study how the latter influences the nature of legitimation, we should possess the information on the fact whether the population connects their changing social status to activity of the power structures. As far as, there could be other “explanations” of the worsening social situation in our country: “the time is so”, “we are guilty”, “what else can we have with our mentality?”, “any critical changes relate to deterioration” etc. However, according to the data of numerous polls, as a rule, people connect deterioration of social situation in the country to the quality of political and economic management, to the fact that, *while pursuing its own selfish aims and tasks, the ruling elite does not take into account the population's interests and ignores all the public interests (apart from corporative or clan ones)*.

The position, when responsibility for “personal failures” is transferred to the government and “management” of all kinds, is considered to be manifestation of “dependence” and an evidence of the paternalist state popularity. Some scientists think that “dependence” can be regarded as the socio-cultural stereotype related to the post-soviet mentality and preventing from market transformations in the post-soviet space. However, the most serious issue, which requires sociological discussion and understanding, is specification of paternalist and “social” state. For the past decade, this issue has been discussed as a matter of difference between the “social” state and the “state of welfare”. According to V.Gutnov, “...the social state”, unlike “the state of universal welfare”, tends not to as much as possible re-distribution of the incomes and property but, first of all, carries out the social policy that eliminates legal, administrative and economic barriers, preventing from realization of personal abilities, and forms the institutes that promote this activity. And re-distribution (the necessary minimum) of incomes and property is conducted only as complementing actions” [18, p. 16]. The social state, where market mechanisms work and certain social tasks are solved, is a reality of a number of capitalist countries. For Ukraine, this is no more than constitutional principle, from implementation of which our coun-



try takes itself off. The ideas of the population about responsibility of power structures for their social policy, as well as for guarantee of elementary safety and order, are rather sound and have nothing to do with dependence and paternalism.

The idea that the “national mentality” is “guilty” for the *nature* and *degree* of legitimacy of political power that conducts liberal reforms (or proclaimed the liberal reforming) is also conditioned by the following: the sociologist’s position on significance of liberal values and how, correspondingly, he/she characterizes the population’s attitude towards them. The essence of this position is determined, for example, by interpretation of the concepts, like “social justice” and “equality”, on the one hand, and “freedom” on the other hand. It is known that, for the past century, the liberal values have changed essentially, mainly when the “freedom” value became close to the values, like “social justice” and “equality”. For example, A. Peccei writes in his known book “Human Qualities” that the “old humanism” was replaced by the “new humanism”, which means restriction of “humanist individualism” and “admission of the fact that justice is prior to freedom” [19, p. 214]. We also know that the “freedom” concept gets various meanings in different socio-cultural conditions and its aspects, which characterize the social security and order, can come out in the first place. We should not forget about the specific historical context, in which the liberal institutes of society are being formed and established. When we study legitimation of political institutes in the transforming society, declaring its adherence to the Western liberalism, it is necessary to take into account, in particular, that its institutes were established “before the social programs were born, the support of which demand the state re-distribution of the essential part of the national income”. Whereas in the post-soviet space “the transition to market economy is carried out while there is a burden of the state social obligations inherited from the previous regime” [20, p. 43]. Most population perceive changes in the broad spectrum of living circumstances as *deterioration*, this is very important for social well-being and, in this case, it is the key factor for people’s assessment of the current political institutes of power.

So, sociological studies on legitimacy and legitimation need collecting and comparing of numerous various data that describe the broad social, ideological and political context, in which the legitimation process and the practical activity, dealing with people’s and the ruling elite’s interests, take place.

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